

1-21-05

AP

JAN 18 2005

PATENT & TRADEMARK OFFICE

FEE TRANSMITTAL

for FY 2005

Effective 12/08/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** **500.00**

Complete if Known

Application Number	09/997,440
Filing Date	November 15, 2001
First Named Inventor	Ashkenazi, et al.
Examiner Name	Wegert, Sandra
Art Unit	1647
Attorney Docket No.	39780-2730P1C31

METHOD OF PAYMENT (check one)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account **08-1641** (Docket No. 39780-2730P1C31)
Number

Deposit Account **Heller Ehrman White & McAuliffe LLP**
Name

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	500.00
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460		1460		Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$500.00)**

SUBMITTED BY

Complete if applicable

Name (Print/Type)	GINGER R. DREGER, ESQ.	Registration No. (Attorney/Agent)	33,055	Telephone	650-324-7000
Signature		Date	JANUARY 18, 2005	Customer No.	35489

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop **1647**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi, et al. Docket No.: 39780-2730P1C31
Serial No.: 09/997,440 Group Art Unit: 1647
Filing Date: November 15, 2001 Examiner: Wegert, Sandra
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME**

Express Mail Label No.: EL 993 638 075 US

Mailing Date: January 18, 2005

NOTICE OF APPEAL

MS: AF

Commissioner for Patent
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated October 18, 2004 of the Primary Examiner finally rejecting Claims 119-126 and 129-131. The item(s) marked below are appropriate:

Filing Fee:
 \$250.00 (small entity)
 \$500.00 (large entity)

The Commissioner is authorized to charge filing fee, additional fees or credit overpayment to Deposit Account No. 08-1641 (39780-2730P1C31).

Date: January 18, 2005

By:


Ginger R. Dreger
Reg. No. 33 055

HELLER EHRMAN WHITE & McAULIFFE LLP

Customer No. 35489
275 Middlefield Road
Menlo Park, California 94025
Telephone: (650) 324-7000
Facsimile: (650) 324-0638

JAN 18 2005

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/997,440
Filing Date	November 15, 2001
First Named Inventor	Ashkenazi, et al.
Group/Art Unit	1647
Examiner Name	Wegert, Sandra
Total Number of Pages in This Submission	Attorney Docket Number 39780-2730P1C31

ENCLOSURES (check all that apply)

 Fee Transmittal Form Fee Attached **Amendment / Response** After Final Version with Markings Showing Changes Affidavits/declaration(s) Extension of Time Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Assignment Papers
(for an Application) Drawing(s) Licensing-related Papers Petition Routing Slip (PTO/SB/69) and Accompanying Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Small Entity Statement Request for Refund After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences **Appeal Communication to Group — Notice of Appeal** Proprietary Information Status Letter **Additional Enclosure(s)
(please identify below):**

stamped return postcard

Remarks

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER (Reference Atty. Docket No. 39780-2730P1C31).

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm
or
Individual name

GINGER R. DREGER, ESQ, REG. NO. 33,055, HELLER EHRLMAN WHITE & McAULIFFE LLP

Signature

Date

JANUARY 18, 2005

Customer Number: 35489

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Express Mail Label EL 993 638 075 US

Typed or printed name

CHERYL ROGERS

Signature

Date

JANUARY 18, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.